

**TOWN OF NEEDHAM  
CONSERVATION COMMISSION  
MEETING MINUTES  
Thursday, February 26, 2015**

LOCATION: Public Services Administration Building (PSAB), Charles River Room

ATTENDING: Janet Carter Bernardo, Stephen Farr, Peter Oehlkers, Cory Rhoades, Sharon Soltzberg, Debbie Anderson (Conservation Specialist)

GUESTS: Ellen Baker, Patricia Carey, Peter Koska, Edward Olsen, Alyssa Peck, Brandon Riley, John Rockwood, Ron Rossi, Janice Saulnier, Diane Simonelli, Mary Trudeau, Amy Wixon

J. Carter Bernardo opened the public meeting at 7:35 pm.

**MISCELLANEOUS BUSINESS**

**MINUTES**

*Motion to approve the minutes of February 12, 2015, by S. Soltzberg, seconded by S. Farr, approved 5-0-0*

**ENFORCEMENT & VIOLATION UPDATES**

**1095 SOUTH STREET**

D. Anderson reported that M. Varrell had received an anonymous call regarding snow being dumped into wetlands. He conducted a site visit and found the snow to be piled in the upland not the wetland. The contractor was on-site at the time of the inspection and moving the snow. M. Varrell had explained the location of the wetlands to the contractor and asked that he refrain from dumping any snow in that location. M. Varrell may stop by the site again to make sure the contractor was compliant with his request.

**280 NEHOIDEN STREET**

M. Varrell stated that Town Counsel, David Tobin, as requested by the Commission, had sent a letter to the homeowners of 280 Nehoiden Street in hopes they would contact the Conservation Department and comply with the Enforcement Order and pay the outstanding fine. D. Anderson reported that Attorney Tobin had received a voicemail from the homeowner but had yet to follow-up.

**OTHER BUSINESS**

**0 TILLOTSON ROAD (DEP FILE #234-614) – REQUEST FOR CERTIFICATE OF COMPLIANCE**

D. Anderson explained that due to the snow, the Conservation staff is unable to accurately conduct the Certificate of Compliance site inspection at this time. J. Rockwood is present for the Applicant and has granted the Commission the approval to continue the Certificate of Compliance discussion past the 21-day deadline for action until the snow melts enough that Conservation staff can conduct the site visit.

**0 CHARLES RIVER STREET (NGWP #12) – REQUEST FOR A MINOR MODIFICATION**

J. Rockwood represented the Applicant and described the existing status of the construction and restrictions to completing the work due to weather. The proposed Minor Modification pertains to work outside of the approved dates to install the utility trench over a course of two days. J. Carter Bernardo asked when J. Rockwood would estimate the animals using the vernal pool for breeding would begin moving to the pool. J. Rockwood replied that, depending on the weather, he would anticipate mid-March to early April.

D. Anderson stated that M. Varrell had drafted a Minor Modification Approval letter for the Commission to review. J. Rockwood reviewed a copy as well. The language of the letter was modified to require 24 hour notice to M. Varrell prior to the trenching work commencing. S. Soltzberg inquired about proposed plantings in the Buffer Zone. J. Rockwood described the previously approved list of plants.

***Motion to approve the minor modification (as amended to include 24 hour notice)) regarding the timing of approved work at 0 CHARLES RIVER STREET (NGWP #12) by S. Soltzberg, seconded by S. Farr, approved 5-0-0.***

## **HEARINGS**

### **NOTICE OF INTENT (DEP FILE #234-726) – NEWMAN FIELDS AND EASTMAN CONSERVATION AREA IMPROVEMENTS PROJECT**

Applicant: Edward Olsen, Town of Needham Superintendent of Parks & Forestry

Owner: Town of Needham School Department

Projects: Newman Elementary School Field Complex improvements including: re-grading of existing field area; soil amendments for improved turf performance and play, major stormwater improvements and vegetation management.

Eastman Conservation Area/Wetland Resource Area improvements including: to enhance outdoor environmental learning, the project will replace the deteriorated boardwalk and deck systems with new ADA compliant boardwalks, at-grade trails, overlooks, piers, interpretive signage and related enhancements. The new boardwalk areas will require 80 new helical piles and 80 “sleepers” for support above wetland areas.

Present for the Applicant: Edward Olsen, Superintendent of Parks and Forestry, Brandon Riley and Alyssa Peck of Weston & Sampson

Supporting Documents include:

- ❑ WPA Form 3 – Notice of Intent and supporting documents, received February 13, 2015
- ❑ Needham Wetlands Protection Bylaw Application for Permit, received February 13, 2015
- ❑ Plans entitled (received February 13, 2015): “Plans for the Construction of Newman Playing Fields and Eastman Conservation Area Improvements Project” (27 Sheets), prepared by Weston & Sampson, stamped and signed by S. Roger Alcott, P.E. No. 41254, dated February 2015.
- ❑ Stormwater Management Report (received February 26, 2015), dated February 2015
- ❑ Plans entitled (received February 26, 2015): “Newman Fields & Eastman Conservation Area (Sheet Numbers L3.00; L4.00; E-L3.01; E-L3.02; E-L4.01; E-L4.02; S1.01; S1.02 and S1.03”, prepared by Weston & Sampson, stamped and signed by S. Roger Alcott, P.E. No. 41254, dated March 12, 2015

J. Carter Bernardo opened the public meeting at 7:50 p.m. E. Olson introduced the project and the Project Team from Weston & Sampson, B. Riley and A. Peck to the Commission:

- E. Olsen described the need for improved sports fields in town for a wide variety of uses. The Newman Fields have drainage issues resulting in poor playability and loss of field time.
- B. Riley described the technical design of the field project. The project consists of stripping and stockpiling the existing soils. The soils will then be amended and re-spread with suitable grading to allow proper drainage. A walking loop is proposed around the perimeter of the fields; portions near the school will consist of standard impervious pavement; areas with the Buffer Zone will consist of porous pavement.
- The proposed project includes removal of invasive species within the 100-foot Buffer Zone and replacement with a native seed mix.
- There are proposed wetland impacts in several areas including two adjacent the field areas which can be shifted to avoid wetland impacts.
- M. Peck described the under-drainage system and how the plan was developed based on the existing soil conditions. Soils will be amended based on recommendations of a testing facility. A lateral drain system will be installed under the entire field area; collection pipes are set flat to promote infiltration. There are numerous outlet structures proposed around the fields to discharge collected flows. The project, as designed, will result in no increase of flows from the site by holding flows in pipe. Plans will be revised to provide stilling basins to further slow down any flows from the discharge pipes. The pipes will be installed at least 18-inches above the seasonal high groundwater.
- B. Riley stated that impact areas in the fields can be re-thought.
- In the Eastman Conservation Area, the boardwalk width has been minimized to maximize sunlight exposure.

#### Comments from the Commission:

- J. Carter Bernardo stated that an abutter had previously expressed concerns about flooding as a result of the proposed project. The Applicant stated the proposed drainage system will dramatically improve drainage conditions on-site without any negative impacts to abutting properties.
- J. Carter Bernardo asked if any fertilizer/chemicals will migrate into the drainage system. E. Olsen described that the fields will be treated for grubs and maintained per the Town's IMP Policy. Fertilizers are generally organic. The Applicant does not expect any fertilizer/chemicals to leach to the wetlands. No fertilizers will be stored in the Buffer Zone.
- S. Farr asked why synthetic fields have not been proposed. E. Olsen responded that the projected is being funded with CPC funds and they do not allow the funds to be spent on synthetic fields. He added that natural fields are vastly preferable to synthetic fields for playability.
- P. Oehlkers asked about general areas of wetland fill and restoration. B. Riley explained that the proposed mitigation area is adjacent to the outdoor classroom. The area consists partially of lawn and partially of invasive species. P. Oehlkers asked if the area will be naturally planted. E. Olsen replied that it will be naturally planted and may act as an educational component as well.
- J. Carter Bernardo asked why "sleepers" are proposed for portions of the Eastman Conservation Area boardwalk. B. Riley replied that "sleepers" are proposed in an effort to save money and are

an appropriate choice for the site conditions. “Sleepers” can be installed without the use of equipment. J. Carter Bernardo asked if they had explored the use of other pier structures such as concrete diamond piers. B. Riley stated they would explore that option. J. Carter Bernardo noted that proper sizing of the helical piles is necessary to keep the costs in line. B. Riley replied they have looked at it carefully.

Comments from the public:

Patty Carey, Director of Parks & Recreation stated that the design of the Eastman Conservation Area upgrades will allow students to interact with nature, not be removed from it.

***Motion to continue the public hearing for NEWMAN FIELDS AND EASTMAN CONSERVATION AREA IMPROVEMENTS PROJECT (DEP File #234-726) for submittal of additional information, to March 26, 2015 at 8:45 p.m. by S. Soltzberg, seconded by S. Farr, approved 5-0-0.***

**98 GROSVENOR ROAD – ABBREVIATED NOTICE OF INTENT (DEP FILE #234-7XX)**

Applicant: Elite Home Builders, LLC

Project: The project consists of grading of the rear yard within the 100-foot Buffer Zone to Bordering Vegetated Wetlands associated with new home construction located outside the Buffer Zone.

Present for the Applicant: Diane Simonelli of Field Resources, Inc.

Supporting Documents include:

- WPA Form 3 – Notice of Intent and supporting documents received February 12, 2015
- Needham Wetlands Protection Bylaw Application for Permit received February 12, 2015
- Plan entitled: “Conservation Plan of Land 98 Grosvenor Road Needham, Mass.”, prepared by Field Resources, Inc., stamped and signed by Bradley J. Simonelli, P.L.S. No. 47581, dated 1/19/15.
- Tree Evaluation Letter from Kray A. Small, Certified Arborist #1797, dated February 24, 2015.

J. Carter Bernardo opened the public meeting at 8:25 p.m. D. Simonelli represented the Applicant and presented the project to the Commission:

- The proposed project consists of re-grading the rear of the property for yard.
- The proposed grading will not change the direction of runoff from the property (toward the railroad property). Runoff from the new house will be infiltrated with a Cultec system outside of the Buffer Zone.
- D. Simonelli stated she had spoken with an arborist about preserving the existing trees. She presented the Commission with a report from the arborist and stated that the grading was insignificant and will not harm the trees.
- D. Anderson described M. Varrell’s concern regarding snow plowing in the rear yard obscuring existing vegetation. An abutter, Amy Wixon, described shrubby vegetation in the rear yard. D. Simonelli stated that the yard extends 12-feet beyond the property line. Ms. Wixon inquired whether any trees were proposed for removal. D. Simonelli stated that no trees were proposed for removal within the 100-foot Buffer Zone.
- D. Simonelli submitted a revised plan showing wetland boundaries.

Comments from the Commission:

- J. Carter Bernardo requested a test pit be performed prior to installation to determine the groundwater depth.
- J. Carter Bernardo questioned whether the 196-foot contour was shown properly on the plan.

Comments from the public:

- A neighbor, Janice Saulnier, asked where the drywells would be installed. D. Simonelli showed the location on the plans and noted that the drywells would improve drainage conditions in the area but not affect the neighbors.

***Motion to continue the public hearing for 98 GROSVENOR ROAD (DEP File #234-7XX) for lack of a DEP File number, to March 26, 2015 at 8:40 p.m. by S. Soltzberg, seconded by S. Farr, approved 5-0-0.***

**450 CHESTNUT STREET – ABBREVIATED NOTICE OF INTENT (DEP FILE #234-7XX)**

Applicant: Elite Home Builders, LLC

Project: The project consists of the razing of a single-family house and the reconstruction of the driveway and utilities within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

Present for the Applicant: Diane Simonelli of Field Resources, Inc.

Supporting Documents include:

- WPA Form 3 – Notice of Intent and supporting documents received February 12, 2015
- Needham Wetlands Protection Bylaw Application for Permit received February 12, 2015
- Plan entitled: “Conservation Plan of Land 450 Chestnut Street Needham, Mass.”, prepared by Field Resources, Inc., stamped and signed by Bradley J. Simonelli, P.L.S. No. 47581, dated 1/23/15.
- Letter regarding wetland delineation for 450 Chestnut Street from Leah Basbanes, Wetland Consultant, dated February 20, 2015.

J. Carter Bernardo opened the public meeting at 8:40 p.m. D. Simonelli represented the Applicant and presented the project to the Commission:

- D. Simonelli explained the proposed project consists of demolishing a single-family home located partially within the Buffer Zone to Bordering Vegetated Wetlands. The proposed work within the 100-foot Buffer Zone consists of demolition of the existing house, a double curb cut driveway installation and installation of a Cultec system to infiltrate roof runoff.
- D. Simonelli discussed the existing wetland resources with the Commission and stated the wetlands across the street are within 100-feet of the property and they were delineated. The wetland/stream complex located on an adjacent property appeared to be greater than 90-feet away from the property so it was not delineated by the Applicant’s wetlands consultant. D. Simonelli presented the Commission with a letter from Leah Basbanes confirming the same.
- D. Simonelli stated erosion controls were extended on the Plan up the side of the property to account for the wetlands on the adjacent property.
- D. Simonelli stated the overall reduction in impervious area within the Buffer Zone will be 176 square feet.
- There is no DEP File number for the project yet. D. Simonelli requested the Commission close the Hearing contingent on receiving the DEP File number. J. Carter Bernardo expressed concern that

the wetlands on the adjacent property had not been delineated and the corresponding Buffer Zone lines not shown on the Plans. The Commission is not comfortable closing without a DEP File number and the submittal of revised plans.

Comments from the Commission:

- J. Carter Bernardo asked whether there were any catch basins in Chestnut Street in the vicinity of the site. D. Simonelli replied that the survey did not extend into the street. J. Carter Bernardo would like to know. S. Farr suggested having a Special Condition in the Order of Conditions to account for protecting any catch basins.
- J. Carter Bernardo would like to have accurate Buffer Zones on the plan. D. Anderson replied the Applicant could either wait for the snow to melt for a delineation or M. Varrell and D. Simonelli can agree on a GIS location of the stream.
- J. Carter Bernardo mentioned that a test pit will be needed to determine the location of groundwater where the Cultec system is proposed.

Comments from the public:

- An abutter, Ronald Rossi, expressed his concern over increased runoff to the brook area where there is an existing water problem. D. Simonelli responded that proposed infiltration will direct roof runoff into the ground instead of overland. J. Carter Bernardo asked if there was any proposed regrading. D. Simonelli responded that none is proposed within the 100-foot Buffer Zone. Overall the grade may rise 8-9 inches on site. Mr. Rossi was concerned about overtopping of the brook not necessarily groundwater. D. Simonelli replied the Cultec system will put the water into the ground.
- An abutter, Bob Baker, expressed concern regarding grading in the back yard and loss of deer habitat. He asked J. Carter Bernardo if there is any protection for trees outside the 100-Buffer Zone. J. Carter Bernardo replied that currently there is no protection.

***Motion to continue the public hearing for 450 Chestnut Street (DEP File #234-7XX) for lack of a DEP File number and the submittal of revised plans, to March 26, 2015 at 9:15 p.m. by S. Soltzberg, seconded by S. Farr, approved 5-0-0.***

**10-16 CHARLES STREET – NOTICE OF INTENT (DEP FILE #234-7XX)**

Applicant: Robert Wallace and Kathleen Powers

Project: The project consists of after-the-fact permitting for resurfacing of an existing parking area and retrofitting of stormwater management best management structures and practices. The filing is the result of an Enforcement Order.

Present for the Applicant: Mike Juliano and Mary Trudeau

Supporting Documents include:

- WPA Form 3 – Notice of Intent and supporting documents received February 12, 2015
- Needham Wetlands Protection Bylaw Application for Permit received February 12, 2015
- Plan entitled: “Site Plan C-1 10-16 Charles Street Located in Needham Massachusetts”, prepared by Eaglebrook Engineering & Survey, LLC, stamped and signed by Michael J. Juliano, P.E. #34003, dated 2/5/15.

□

J. Carter Bernardo opened the public meeting at 9:05 p.m. M. Juliano and M. Trudeau represented the Applicant and presented the project to the Commission:

- M. Trudeau stated that the wetland resource area flagging had been completed prior to all of the snowfall.
- M. Juliano described the existing drainage conditions on the site including the overlay consisting of 1.5 inches of pavement resulting in the loss of 925 cubic feet of floodplain storage. The proposed mitigation is for TSS removal and floodplain compensation. M. Juliano described the proposed compensation storage area in the new swale and infiltration trench.
- TSS removal in the infiltration trench will be provided through sawcutting pavement.
- M. Trudeau stated that a detailed Waiver Request will be submitted to the Commission

Comments from the Commission:

- J. Carter Bernardo stated that the catch basin and new outfall does not appear necessary. M. Juliano stated potential flooding would access the trench for compensatory floodplain storage via a new outfall pipe.
- J. Carter Bernardo described her concerns about adequate access to the proposed floodplain compensation area in the trench. M. Juliano responded that the trench will infiltrate while it is being filled, depending on the intensity of the storm. He stated that soils in the area are expected to be an "A" soil.
- J. Carter Bernardo asked how the outfall would be protected. M. Juliano stated it would be protected with vegetation, but expressed his concern at how effective it would be.
- S. Farr stated that he liked the idea of installing a catch basin because the trench will fill in over time.
- D. Anderson described comments from M. Varrell regarding the existing hazard trees on the Bank and the need for a planting plan to stabilize the area. M. Trudeau stated she did not know how many of the hazard trees were actually located on the Applicant's property and under their control. M. Trudeau stated that a planting plan can be developed for the Bank to provide stabilization.
- D. Anderson pointed out that a storage container is currently on site than may be taking up floodplain storage area. M. Juliano stated that storage container is located outside the floodplain.
- The Commission discussed the need for an outfall/catch basin and reconfiguration of the berm to maximize treatment.

Comments from the public:

None

***Motion to continue the public hearing for 10-16 CHARLES STREET (DEP File #234-7XX) for lack of a DEP File number, the submittal of a Waiver Request and revised plans, to April 9, 2015 at 7:45 p.m. by S. Soltzberg, seconded by S. Farr, approved 5-0-0.***

**OTHER BUSINESS**

**COMMUNITY PRESERVATION ACT – ADVOCACY MEETING**

D. Anderson informed the Commission that a Community Preservation Act Advocacy Meeting was planned for March 2, 2015 in Newton if any Conservation Commission members were interested in attending.

*Motion to adjourn the meeting by S. Soltzberg, seconded by S. Farr, approved 5-0-0.*

*The meeting was adjourned at 9:35 pm.*

### **NEXT PUBLIC HEARING**

*Thursday, March 26, 2015 at 7:30 PM in the Public Services Administration Building, Charles River Room.*